

Judge Berman

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

PHAT FASHIONS LLC

SUMMONS IN A CIVIL ACTION

V.

VICTORIA'S SECRET STORES BRAND
MANAGEMENT, INC.

08 CV 02745
CASE NUMBER

TO: (Name and address of Defendant)

VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC.
4 Limited Parkway, Reynoldsburg, Ohio 43068

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brad D. Rose, Esq. (BR 2740)
PRYOR CASHMAN LLP
410 Park Avenue
New York, New York 10022
(212) 421-4100

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

MAR 14 2008

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHAT FASHIONS LLC,

Plaintiff,

- against -

VICTORIA'S SECRET STORES BRAND
MANAGEMENT, INC.,

Defendant.

Index No. 08-CV-02745

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

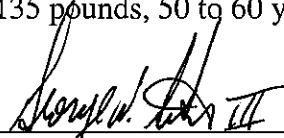
George W. Sikes III, being duly sworn, deposes and says:

I am not a party to the action. I am over 18 years of age and reside in Suffolk County, New York.

On March 17, 2008 at 11:13 a.m. I served the SUMMONS, CIVIL COVER SHEET, RULE 7.1 DISCLOSURE STATEMENT, COMPLAINT, INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN, AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE GABRIEL W. GORENSTEIN, by hand upon:

Victoria's Secret Stores Brand Management, Inc.
4 Limited Parkway
Reynoldsburg, Ohio, 43068

by serving CT Corporation, as agent authorized to accept service on their behalf. Ms. Paula Kash, an employee for CT Corporation, accepted service. Ms. Kash is described as a white female, approximately 5'3" tall, approximately 135 pounds, 50 to 60 years of age, having white hair and wearing glasses.


George W. Sikes III

Sworn to before me this
17th day of March 2008


Notary Public

DEBORAH R. VAN ALSTYNE
Notary Public - State of New York
No. 01VA6143449
Qualified in New York County
Commission Expires April 10, 2010